

RESOLUTION NO. 024-21

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 22nd day of February, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

Mr. S. Batchler moved for the adoption of the following Resolution:

**RESOLUTION DECLARING NECESSITY TO
APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES**

WHEREAS, this Board received a finding from the Director of the Ohio Environmental Protection Agency ("Director"), attached hereto as Exhibit "1", pursuant to the authority vested in the Director under Ohio Revised Code §§ 6117.34, 6111.03, and 3745.01 that a public health nuisance exists and is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions from on-site failing sewage systems and that such conditions create a public exigency and compel the immediate construction, maintenance, and operation of a sanitary sewer project in Wayne Township, Clermont County, Ohio (the "Project") in order to protect the public health and welfare; and

WHEREAS, for the purpose of addressing this public exigency and protecting the public health and welfare, it is necessary to acquire real property for construction, maintenance, and operation of the Project in accordance with plans which are on file in the Water Resources Department, Clermont County, Ohio; and

WHEREAS, this Board has negotiated or caused to be negotiated with Billy A. Thomas, who is the owner of real estate located at Eckman Lane, Wayne Township, Clermont

County Ohio, and more fully described in the attached Exhibit "2", for the purchase of easements over and through such real property in order to construct, operate and maintain the Project, and said negotiations have been to no avail.

NOW THEREFORE, BE IT RESOLVED:

1. That the Board of County Commissioners, Clermont County, Ohio, proceed to file a Petition for Appropriation of said easements, which easements are more fully described in the Petition for Appropriation of property, a copy of which is attached hereto as Exhibit "3", and which is hereby authorized to be filed pursuant to this Resolution.

2. That the Declaration of Intent to Take Possession, attached as Exhibit "4", is hereby authorized to be filed and that compensation for said property being appropriated together with damages, if any, to the residue shall be assessed at the value of **ONE THOUSAND FIFTY DOLLARS AND NO CENTS** (\$1,050.00) and that the Water Resources Department of Clermont County, Ohio, is hereby authorized and directed to issue a check in the amount of **ONE THOUSAND FIFTY DOLLARS AND NO CENTS** (\$1,050.00) made payable to the Clerk of Courts, Clermont County, Ohio, as and for deposit with the Clerk of said appraised sum in order that the County may proceed immediately to obtain possession and access to said property in order to proceed with the plans and specifications for the Project on Eckman Lane, Wayne Township, as same are on file with the Water Resource Department of Clermont County, Ohio.

3. That the Office of the Prosecuting Attorney upon issuance of said deposit shall immediately file an Application on behalf of the Board of Commissioners for a right of possession and pursue obtaining an immediate entry of possession as provided by the Ohio Revised Code.

4. That the Office of the Prosecuting Attorney shall undertake to represent the interest of the Board of County Commissioners in said appropriation proceedings and shall pursue said

appropriation proceedings to their conclusion.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Painter seconded the Resolution and on roll call the vote resulted as follows:

Claire B. Corcoran

yes

David L. Painter

yes

Bonnie J. Batchler

yes

ATTEST:

Holly Cruey, CLERK
Clermont County Board of Commissioners

DATED: February 22, 2021

This Resolution prepared and approved
as to form by The Office of the
Clermont County Prosecuting Attorney,
Mark J. Tekulve, Prosecutor

Joe Mooney
JOSEPH T. MOONEY
Assistant Prosecuting Attorney

DATED: 2/4/21 H.C.

RESOLUTION NO. 025-21

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 22nd day of February, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

Mr. Painter moved for the adoption of the following Resolution:

**RESOLUTION DECLARING NECESSITY TO
APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES**

WHEREAS, this Board received a finding from the Director of the Ohio Environmental Protection Agency ("Director"), attached hereto as Exhibit "1", pursuant to the authority vested in the Director under Ohio Revised Code §§ 6117.34, 6111.03, and 3745.01 that a public health nuisance exists and is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions from on-site failing sewage systems and that such conditions create a public exigency and compel the immediate construction, maintenance, and operation of a sanitary sewer project in Wayne Township, Clermont County, Ohio (the "Project") in order to protect the public health and welfare; and

WHEREAS, for the purpose of addressing this public exigency and protecting the public health and welfare, it is necessary to acquire real property for construction, maintenance, and operation of the Project in accordance with plans which are on file in the Water Resources Department, Clermont County, Ohio; and

WHEREAS, this Board has negotiated or caused to be negotiated with Lori A. Glass,

Steven L. Glass, and Curtis Chandler, who are the owners of real estate located at Pin Oak Street, Wayne Township, Clermont County Ohio, and more fully described in the attached Exhibit "2", for the purchase of an easement over and through such real property in order to construct, operate and maintain the Project, and said negotiations have been to no avail.

NOW THEREFORE, BE IT RESOLVED:

1. That the Board of County Commissioners, Clermont County, Ohio, proceed to file a Petition for Appropriation of said easement, which easement is more fully described in the Petition for Appropriation of property, a copy of which is attached hereto as Exhibit "3", and which is hereby authorized to be filed pursuant to this Resolution.

2. That the Declaration of Intent to Take Possession, attached as Exhibit "4", is hereby authorized to be filed and that compensation for said property being appropriated together with damages, if any, to the residue shall be assessed at the value of **TWO THOUSAND ONE HUNDRED AND EIGHTEEN DOLLARS AND NO CENTS (\$2,118.00)** and that the Water Resources Department of Clermont County, Ohio, is hereby authorized and directed to issue a check in the amount of **TWO THOUSAND ONE HUNDRED AND EIGHTEEN DOLLARS AND NO CENTS (\$2,118.00)** made payable to the Clerk of Courts, Clermont County, Ohio, as and for deposit with the Clerk of said appraised sum in order that the County may proceed immediately to obtain possession and access to said property in order to proceed with the plans and specifications for the Project on Pin Oak Street, Wayne Township, as same are on file with the Water Resource Department of Clermont County, Ohio.

3. That the Office of the Prosecuting Attorney upon issuance of said deposit shall immediately file an Application on behalf of the Board of Commissioners for a right of possession and pursue obtaining an immediate entry of possession as provided by the Ohio Revised Code.

4. That the Office of the Prosecuting Attorney shall undertake to represent the interest of the Board of County Commissioners in said appropriation proceedings and shall pursue said appropriation proceedings to their conclusion.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. S. Batchler seconded the Resolution and on roll call the vote resulted as follows:

Claire B. Corcoran

Yes

David L. Painter

Yes

Bonnie J. Batchler

Yes

ATTEST:

Wally Cruey, CLERK

Clermont County Board of Commissioners

DATED: 2/22/2021

This Resolution prepared and approved
as to form by The Office of the
Clermont County Prosecuting Attorney,
Mark J. Tekulve, Prosecutor

JOSEPH T. MOONEY
Assistant Prosecuting Attorney

DATED: 2/4/21 H.C.

RESOLUTION NO. 026-21

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 22nd day of February, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

Mr. s Batchler moved for the adoption of the following Resolution:

**RESOLUTION DECLARING NECESSITY TO
APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES**

WHEREAS, this Board received a finding from the Director of the Ohio Environmental Protection Agency (“Director”), attached hereto as Exhibit “1”, pursuant to the authority vested in the Director under Ohio Revised Code §§ 6117.34, 6111.03, and 3745.01 that a public health nuisance exists and is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions from on-site failing sewage systems and that such conditions create a public exigency and compel the immediate construction, maintenance, and operation of a sanitary sewer project in Wayne Township, Clermont County, Ohio (the “Project”) in order to protect the public health and welfare; and

WHEREAS, for the purpose of addressing this public exigency and protecting the public health and welfare, it is necessary to acquire real property for construction, maintenance, and operation of the Project in accordance with plans which are on file in the Water Resources Department, Clermont County, Ohio; and

WHEREAS, this Board has negotiated or caused to be negotiated with Amber Farah

NKA Amber J. Berry, who is the owner of real estate located at Newtonsville Road, Wayne Township, Clermont County Ohio, and more fully described in the attached Exhibit "2", for the purchase of an easement over and through such real property in order to construct, operate, and maintain the Project, and said negotiations have been to no avail.

NOW THEREFORE, BE IT RESOLVED:

1. That the Board of County Commissioners, Clermont County, Ohio, proceed to file a Petition for Appropriation of said easement, which easement is more fully described in the Petition for Appropriation of property, a copy of which is attached hereto as Exhibit "3", and which is hereby authorized to be filed pursuant to this Resolution.

2. That the Declaration of Intent to Take Possession, attached as Exhibit "4", is hereby authorized to be filed and that compensation for said property being appropriated together with damages, if any, to the residue shall be assessed at the value of **THREE THOUSAND SIX HUNDRED AND TWENTY SIX DOLLARS AND NO CENTS (\$3,626.00)** and that the Water Resources Department of Clermont County, Ohio, is hereby authorized and directed to issue a check in the amount of **THREE THOUSAND SIX HUNDRED AND TWENTY SIX DOLLARS AND NO CENTS (\$3,626.00)** made payable to the Clerk of Courts, Clermont County, Ohio, as and for deposit with the Clerk of said appraised sum in order that the County may proceed immediately to obtain possession and access to said property in order to proceed with the plans and specifications for the Project on Newtonsville Road, Wayne Township, as same are on file with the Water Resource Department of Clermont County, Ohio.

3. That the Office of the Prosecuting Attorney upon issuance of said deposit shall immediately file an Application on behalf of the Board of Commissioners for a right of possession and pursue obtaining an immediate entry of possession as provided by the Ohio Revised Code.

4. That the Office of the Prosecuting Attorney shall undertake to represent the interest of the Board of County Commissioners in said appropriation proceedings and shall pursue said appropriation proceedings to their conclusion.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Painter seconded the Resolution and on roll call the vote resulted as follows:

Claire B. Corcoran

Yes

David L. Painter

Yes

Bonnie J. Batchler

Yes

ATTEST:

Nally Cruey
CLERK

Clermont County Board of Commissioners

DATED: 2/22/21

This Resolution prepared and approved
as to form by The Office of the
Clermont County Prosecuting Attorney,
Mark J. Tekulve, Prosecutor

Joe Mooney
JOSEPH T. MOONEY
Assistant Prosecuting Attorney

DATED: 2/4/21 HC.